

PHILLIP A. TALBERT
United States Attorney
STEPHANIE M. STOKMAN
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ARTURO YANEZ, JR., and
FRANCISCO JAVIER TOVAR TRONCOSO,

Defendants.

CASE NO. 1:22-CR-00143-NODJ-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: August 28, 2024

TIME: 1:00 p.m.

COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on August 28, 2024.
2. By this stipulation, defendants now move to vacate the status conference and set a jury trial date for June 24, 2025, and to exclude time between August 28, 2024, and June 24, 2025, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes reports, photographs, and audio files and is voluminous. This discovery has been either produced directly to counsel and/or made available for inspection and copying, and the production of or availability of more discovery is anticipated.

1 b) The government has provided plea agreements to defendants and counsel have
2 been in discussions regarding resolving the matter.

3 c) Counsel for defendants desire additional time to further review discovery, discuss
4 potential resolution with defendants and the government, and investigate and prepare for trial.

5 d) Counsel for defendants believe that failure to grant the above-requested
6 continuance would deny him/her the reasonable time necessary for effective preparation, taking
7 into account the exercise of due diligence.

8 e) The government does not object to the continuance.

9 f) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of August 28, 2024 to June 24, 2025,
14 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
15 because it results from a continuance granted by the Court at defendant's request on the basis of
16 the Court's finding that the ends of justice served by taking such action outweigh the best interest
17 of the public and the defendant in a speedy trial.

18 h) The parties also agree that this continuance is necessary for several reasons,
19 including but not limited to, the need to permit time for the parties to exchange supplemental
20 discovery, engage in plea negotiations, and for the defense to continue its investigation and
21 preparation, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 22, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ STEPHANIE M. STOKMAN
STEPHANIE M. STOKMAN
Assistant United States Attorney

Dated: August 22, 2024

/s/ MARIO TAFUR
MARIO TAFUR
Counsel for Defendant
ARTURO YANEZ, JR.

Dated: August 22, 2024

/s/ REED GRANTHAM
REED GRANTHAM
Counsel for Defendant
FRANCISCO JAVIER TOVAR
TRONCOSO

ORDER

IT IS SO ORDERED that the status conference set for August 28, 2024, is vacated. A jury trial is set for **June 24, 2025, at 8:30 a.m. in Courtroom 5 before the District Court Judge**. Estimate time of trial is **2 weeks**. A trial confirmation is set for **June 9, 2025, at 8:30 a.m. in Courtroom 5 before the District Court Judge**. Time is excluded through trial pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: **August 26, 2024**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE